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Atty. Dkt. No. 003493.00517 (ATT 2001-0511)

### **REMARKS**

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are unpatentable under the provisions of 35 U.S.C. § 103. Thus, the Applicants believe that all of these claims are now in allowable form.

#### **I. REJECTION OF CLAIMS 1-4 AND 7-31 UNDER 35 U.S.C. § 103**

##### **A. Claims 1-4, 7-11 and 16-27**

The Examiner rejected claims 1-4, 7-11 and 16-27 as being unpatentable over US Patent 6,961,416, issued on November 1, 2005, hereinafter referred to as "Summers" in view of US Patent 6,584,076, issued on June 24, 2003, hereinafter referred to as "Aravamudan." It should be noted that although the Examiner stated in Paragraph 2 of the Final Office Action that claims 1-4, and 7-31 are rejected in view of Summers and Aravamudan, the Examiner only provided substantive rejections for claims 1-4, 7-11 and 16-27. As such, the Applicants are presuming that only claims 1-4, 7-11 and 16-27 are rejected in view of Summers and Aravamudan. The Applicants respectfully traverse the rejection.

Summers teaches an internet-enabled conferencing system and method accommodating PSTN and IP traffic. A caller may call into a conference call by dialing a number connecting them to a Voice node or VoIP node within a chassis on a TDM bus. (See Summers, col. 11, ll. 26-65.)

Aravamudan teaches a telecommunications conferencing method and apparatus. The method and apparatus uses a plurality of device servers including a packet circuit gateway. In response to a request for a conference call, the packet network determines the parties to be on the conference call and selects a conference bridge that results in the lowest cost for the conference call. (See Aravamudan, Abstract.)

The Examiner's attention is directed to the fact that Summers and Aravamudan, alone or in any permissible combination, fails to teach or to suggest a method or apparatus for establishing a VoIP conference call

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comprising receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations and establishing an RTP voice path with the first VoIP station, as positively claimed by the Applicants' independent claims 1 and 16, respectively. Specifically, Applicants' independent claims 1 and 16 recite:

1. A method for establishing a VoIP conference call by joining a first VoIP station in a communication between a plurality of communication stations, wherein at least one of the plurality of communication stations is a second VoIP station in a private network and said first VoIP station is in the private network, the method comprising:

receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations;

establishing an RTP voice path with the first VoIP station; and  
managing data packet transmission between the first VoIP station and one of the plurality of communication stations. (Emphasis added.)

16. A device for establishing a VoIP conference call by joining a first VoIP station in a communication between a plurality of communication stations, wherein at least one of the plurality of communication stations is a second VoIP station in a private network and said first VoIP station is in the private network, the device comprising:

a receiver for receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a call;

an apparatus for setting up an RTP voice path with the first VoIP station in response to the received signal for joining a call; and,

an RTP mixer for managing at least two VoIP stations and sending the mixed data packets to at least one VoIP station. (Emphasis added.)

In one embodiment, Applicants' invention is a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations and establishing an

RTP voice path with the first VoIP station. As a result, the Applicants' invention provides conferencing capability in private VoIP networks while containing costs for the VoIP phones. (See e.g., Applicants' specification, p. 6, para. [15].)

Summers fails to teach or suggest a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations. Summers only teaches that a user may enter a conference number that connects a caller to a Voice node or VoIP node within a chassis on a TDM bus. (See Summers, col. 11, ll. 26-65.) Summers does not teach or suggest a code number identifying a connection associated with the second VoIP station in the private network.

For example, in Summers, if a conference number is not used to connect to a Voice node or VoIP node on the chassis on the TDM bus, there is no way for a first caller on the device side of the PSTN or IP network to join a call of a second caller on the device side of the PSTN or IP network because the first caller has no way of identifying a connection associated with the second caller on the device side. (See Summers, FIG. 1.) Summers only teaches that they can connect on the same conference call by calling a conference number connecting them both to the same Voice node or VoIP node on the TDM bus. (See Summers, col. 11, ll. 26-65.) In contrast, the Applicants' invention teaches that a code number identifies a connection associated with the second VoIP station in the private network (i.e. the same private network the first VoIP station wanting to join the call is on.)

Moreover, Summers fails to teach or to suggest establishing an RTP voice path with the first VoIP station. The Examiner concedes this in the Final Office action. (See Final Office Action, p. 4, ll. 1-2.) However, the Examiner then alleges that Aravamudan bridges the substantial gap left by Summers.

Aravamudan fails to bridge the substantial gap left by Summers because Aravamudan also fails to teach or suggest establishing an RTP voice path with the first VoIP station. Aravamudan only teaches establishing an RTP over

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circuits 119. (See Aravamudan, col. 6, ll. 25-34.) Notably, circuits 119 only establish a path between the device servers and call coordinator. (See Aravamudan, FIGs. 1-3.) Aravamudan does not teach or suggest that RTP is used on the circuits that establish a path to the devices. (See Aravamudan, col. 6, ll. 35-40.) In contrast, where the devices of Aravamudan are interpreted as being analogous to the VoIP stations of the Applicants' invention, unlike Aravamudan the Applicants' invention teaches establishing an RTP voice path with the first VoIP station. Moreover, Aravamudan fails to teach or suggest receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations.

Therefore, Summers and Aravamudan, alone or in any permissible combination, fail to teach or suggest a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations and establishing an RTP voice path with the first VoIP station, as positively recited by Applicants' independent claims 1 and 16. Therefore, the Applicants respectfully request the rejection be withdrawn.

Moreover, dependent claims 2-4, 7-11 and 17-27 depend, either directly or indirectly, from independent claims 1 and 16, respectively, and recite additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claims 2-4, 7-11 and 17-27 are also patentable over Summers and Aravamudan. As such, the Applicants respectfully request the rejection be withdrawn.

**B. Claims 12-15 and 28-31**

The Examiner rejected claims 12-15 and 28-31 as being unpatentable over Summers in view of Aravamudan and in further view of US Patent

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6,269,159, issued on July 31, 2001, hereinafter referred to as "Cannon." The Applicants respectfully traverse the rejection.

The teachings of Summers and Aravamudan have been discussed above. Cannon teaches conferencing with a calling party. The method and apparatus provides three way conferencing which allows a third party caller to call into an existing telephone call at a single line of a called party's telephone. (See Cannon, Abstract.)

The Examiner's attention is directed to the fact that the alleged combination (as taught by Summers and Aravamudan) fails to disclose the novel a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations and establishing an RTP voice path with the first VoIP station, as positively claimed by the Applicants' independent claims 1 and 16. (See *supra*.)

The Applicants' invention teaches a method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations and establishing an RTP voice path with the first VoIP station. In contrast, as discussed above, the combination of Summers and Aravamudan simply does not teach or suggest the novel method or apparatus for establishing a VoIP conference call comprising receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations and establishing an RTP voice path with the first VoIP station.

Moreover, Cannon does not bridge the substantial gap left by Summers and Aravamudan because Cannon also fails to teach or suggest a method or

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apparatus for establishing a VoIP conference call comprising receiving an indication comprising a code number identifying a connection associated with the second VoIP station in the private network from the first VoIP station in the private network for joining a VoIP call between the plurality of communication stations and establishing an RTP voice path with the first VoIP station. Cannon only teaches a method and apparatus for conferencing with a calling party. (See Cannon, Abstract.) Thus, for all of the above reasons, the Applicants respectfully contend that claims 1 and 16 of the present invention are not made obvious by the combination of Summers, Aravamudan and Cannon.

Furthermore, dependent claims 12-15 and 28-31 depend, either directly or indirectly, from claims 1 and 16, respectively, and recite additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claims 12-15 and 28-31 are also patentable and not made obvious by the teachings of Summers, Aravamudan and Cannon. As such, the Applicants respectfully request the rejection be withdrawn.

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### CONCLUSION


Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. § 103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of the present final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,

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